



COMMUNITY DEVELOPMENT DEPARTMENT

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov

PLANNING COMMISSION

TUESDAY, APRIL 23, 2002

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR BARBARA SULLIVAN
VICE-CHAIR PATRICIA MCMAHON
COMMISSIONER GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER RALPH LYLE
COMMISSIONER JOSEPH MUELLER
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

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OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: __ March 12, 2002 , March 26, 2002 and April 9, 2002

OLD BUSINESS:

1. **MEASURE P, MP-01-12: E. DUNNE-FIRST COMMUNITY HOUSING:** A request for 38 residential building allotments for FY 2003-04. The overall project consists of 100 apartment units; 62 allotments have already been awarded. The overall site is approximately 7.2 acres and is located at the southeast corner of E. Dunne Ave. and Butterfield Blvd. (APN 817-11-060)

Recommendation: Approve amendment of point score, and Adopt Resolution No. 02-34 awarding FY 2003-04 Building Allotment.

2. **USE PERMIT, UP-01-05 : MONTEREY-ARCO:** A request to approve a conditional use permit to construct a new 3,600 sf Arco am/pm mini-market, a 4,500 sf. canopied gas station and a 792 sf. car wash facility located at 18605 Monterey Rd., at the southwest corner of Monterey and Cochrane Roads. (APN 764-10-004)

Recommendation: Adopt Resolution No. 02-28, approving the conditional use permit.

NEW BUSINESS:

3. a. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-00-09: LLAGAS-DELCO:** A request to amend the development agreement for the 46 unit Monte Villa project to be located on the south side of Llagas Rd. approximately 350 ft. west of the Hale Ave. and Llagas Rd. intersection. The amendment request would extend 15 building allocations for a one year period. (APN 746 32-05)

Recommendation: Adopt Resolution No. 02-29, with recommendation to forward to City Council for approval.

- b. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-00-10: HALE-DELCO/SHENG:** A request to amend the development agreement for the 18 unit Twin Oaks project to be located on the west side of Hale Ave. approximately 1400 ft. south of the Hale Ave. and Llagas Rd. intersection. The amendment request would extend 7 building allocations for a one year period. (APN 764-32-013)

Recommendation: Adopt Resolution No. 02-30, with recommendation to forward to City Council for approval.

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4. **ZONING AMENDMENT, ZA-02-04/DEVELOPMENT AGREEMENT, DA-02-01: CHURCH-SOUTH COUNTY HOUSING:** A request to approve a zoning amendment and development agreement for a four-acre site from R3 to Planned Unit Development (PUD). The applicant is proposing a mixed-use project consisting of 72 apartment units and a 4,200 sq. ft. student day care facility for a maximum of 45 students, a 4,300 sq. ft. community center, and 3,000 sq. ft. office area for non-profit groups.(APN 817-02-003, 004, 005, 022, 023 & 038)

Recommendation: Open Public Hearing and Continue to May 14, 2002 Meeting.

5. **ZONING AMENDMENT, ZA-00-05: HALE-GLENROCK/SHEA HOMES:** A request to approve a revised precise development plan for 67 acre Capriano development located on the south side of Tilton Ave., east side of Hale Ave., west of the railroad tracks. The proposed development plan includes 38 single family attached homes and 172 single family detached homes. (APN 764-09-06, 16, 17, 31, 30 and all lots on 764-54 and 764-55).

Recommendation: Direct applicant to revise precise development plan.

6. **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) QUARTERLY REPORT:**

Recommendation: 1) Approve by minute action, with recommendation to forward to City Council for approval; and
2) Receive comments and consider whether to schedule revocation hearings or establish additional checkpoints for projects listed in the Measure "P" Entitlements Pending section.

TENTATIVE UPCOMING AGENDA ITEM FOR THE MAY 14, 2002 MEETING:

- **GPA-01-09: City of Morgan Hill-Adoption of Housing Element**
- **Final Award and Distribution of the Measure P Building Allocation for FY 2003-04 Open Market Competition**
- **Final Award and Distribution of the Measure P Building Allocation for FY 2003-04 Micro Project Competition**
- **Final Award and Distribution of the Measure P Affordable Competition**
- **Capital Improvement Program (CIP) Presentation**

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE
AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

***NOTICE IS GIVEN** pursuant to Government Code Section 65 009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

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